

JURISDICTION:

OHIO

General Reference:

This chapter summarizes Ohio State statutes related to speed.
Ohio Revised Code Annotated

Basis for a Speed Law Violation:

Basic Speed Rule:

No person shall operate a vehicle at a speed greater or less than is reasonable or proper, having due regard to the traffic, surface, and width of the street or highway and any other conditions. 4511.21(A)

Statutory Speed Limit:
See Other below.

65 MPH¹, established prior to October 1, 1995, on certain interstate and State freeways 4511.21(B)(12) and (D)
55 MPH for vehicles weighing >8,000 lbs. empty weight and noncommercial busses on interstate and State freeways 4511.21(B)(10)
55 MPH on other freeways inside and outside of municipal corporations 4511.21(B)(8) & (9) and (D)
55 MPH on highways outside of municipal corporations except certain freeways 4511.21(B)(5) and (D)
50 MPH (*prima facie* speed limit) on controlled-access highways and expressways within municipal corporations 4511.21(B)(4) & (C)
50 MPH (*prima facie* speed limit) on State routes within municipal corporations outside urban districts 4511.21(B)(6) & (C)
35 MPH (*prima facie* speed limit) on State routes and through highways² 4511.21(B)(3) & (C)
25 MPH (*prima facie* speed limit) on municipal corporation streets³ 4511.21(B)(2) & (C)
20 MPH (*prima facie* speed limit) in school zones during recess or when children are going to or leaving school 4511.21(B)(1)(a) & (C)
15 MPH (*prima facie* speed limit) on alleys within a municipal corporation 4511.21(B)(7) & (C)

Posted (Maximum) Speed Limit:

Based on geometric and traffic characteristics studies, the State or local governments⁴ may increase or decrease the above speed limits on any highway. The new posted speed limit on such highway is the *prima facie* safe speed for that highway. 4511.21(H), (I) & (J)

Minimum Speed Limit:

I. No person shall operate a vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic. 4511.22(A)
II. A person, driving at less than the normal speed of traffic, shall drive in the right-hand lane then available for traffic or as close as practicable to the right-hand curb or edge of the roadway. 4511.25

Basis for a Speed Law Violation: (continued)

Posted (Minimum) Speed Limit:

Based upon engineering and traffic investigations, the State or local

This speed limit only applies to motor vehicles weighing ≤8,000 lbs. empty weight and commercial busses. 4511.21(B)(12)

This speed limit applies within municipal corporations outside business districts but does not include controlled-access highways and expressways within municipal corporations or highways outside of municipal corporations. 4511.21(B)(3)

Except on state routes outside business districts, through highways outside business districts and alleys. 4511.21(B)(2)

Local governments must either request or obtain State approval for any speed limit changes on the streets or highways within their jurisdiction. 4511.21(H) & (J)

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government may establish a minimum speed limit on a highway. However, no minimum speed limit shall be <35 MPH or >55 MPH. 4511.22(B)

Other:

I. Based upon an investigation, the State may establish safe maximum speed limits for bridges or other elevated structures. 4511.23
II. The owner of a private road or driveway located in a residential area containing ≥20 dwelling units may establish a legal posted speed limits on such road or driveway of not <25 MPH. 4511.21

Adjudication of Speed Law Violations:

Civil/Criminal Adjudication of Violation:
Other:

All Speed Law Violations are Misdemeanors. 4511.99(D)

Sanctions Following an Adjudication of a Speed Law Violation:

Criminal Sanctions:

Imprisonment:

Term (Day, Month, Years,
Etc.):

1st offense (Minor Misdemeanor)-**None** 2nd offense (within 1 year) (4th Degree Misdemeanor)-Not more than **30 days** Subsequent offense (within 1 year) (3rd Degree Misdemeanor)-Not more than **60 days** 2929.21(A) & (B) and 4511.99(D)
None

Mandatory Minimum Term:

Fine:

Amount (\$ Range):

1st offense (Minor Misdemeanor)-Not more than **\$100** 2nd offense (within 1 year) (4th Degree Misdemeanor)-Not more than **\$250** Subsequent offense (within 1 year) (3rd Degree Misdemeanor)-Not more than **\$500** 2929.21(C) & (D) and 4511.99(D)
None

Mandatory Min. Fine (\$):

Other Penalties:

Traffic School:

Remedial Driving Instruction 4507.022 Note: This course must be completed before driving privileges can be restored.

Other:

Licensing Action:

Type of Licensing Action

(Susp/Rev):

Suspension via a Point System⁵ 4507.021(G), (K) & (L)

Sanctions Following an Adjudication of a Speed Law Violation: (continued)

Term of License Withdrawal

(Days, Months, Years, etc.):

Mandatory Minimum Term of

6 months 4507.021(K)

Point System. I. A person, who accumulates not <12 points within a 2 year period from the date of the first conviction, is subject to a 6 month license suspension. 4507.021(K) II. The following points have been assigned to speeding and speed related offenses: Street racing-6 points; reckless driving-4 points; general speeding-2 points; 1st violation of exceeding either the 55 or 65 MPH speed limits by driving >75 MPH-2 points; 2nd violation within 1 year of exceeding either the 55 or 65 MPH speed limits by driving >75 MPH-1 point for each increment of 5 MPH in excess of the posted speed limit excluding the first 5 MPH over the limit; 3rd violation within 1 year of exceeding either the 55 or 65 MPH speed limits by driving >75 MPH-2 points for each increment of 5 MPH in excess of the posted speed limit excluding the first 5 MPH over the limit; and, all other moving violations-2 points. 4507.021(G)(9), (10), (12), (13), (14), (15) & (16)

Withdrawal:

Suspension via Point System-**None** The offender may be placed on probation with conditions in lieu of suspension. 4507.021(N)(4)

Miscellaneous Sanctions
Not Included Elsewhere:

I. 1st offense of driving either (1) >35 MPH in a business district of a municipal corporation, (2) >55 MPH on other portions or (3) >35 MPH in a school zone during either recess or when children are going either to or leaving the school-4th Degree Misdemeanor 4511.99(D)(2) See the sanctions for this misdemeanor above.
II. If the appropriate signs are posted in a construction zone that indicate that increase sanctions are in effect, the fines for an offense committed in such zone are doubled the usual amount.
4511.99(D)(3) & 4511.98

Other Criminal Actions Related to Speeding:

Street Racing⁶ :

Misdemeanor 4511.251 & 4511.99(D)

Sanctions:

Criminal Sanction:

Imprisonment (Term):

1st offense (Minor Misdemeanor)-**None** 2nd offense (within 1 year) (4th Degree Misdemeanor)-Not more than **30 days** Subsequent offense (within 1 year) (3rd Degree Misdemeanor)-Not more than **60 days** 2929.21(A) & (B) and 4511.99(D)

Mandatory Minimum Term:

Fine (\$ Range):

None

1st offense (Minor Misdemeanor)-Not more than **\$100** 2nd offense (within 1 year) (4th Degree Misdemeanor)-Not more than **\$250** Subsequent offense (within 1 year) (3rd Degree Misdemeanor)-Not more than **\$500** 2929.21(C) & (D) and 4511.99(D)

Mandatory Minimum Fine:

None

Administrative Licensing Action:

Licensing Authorized and

Type of Action:

Suspension via a Point System⁵ 4507.021(G), (K) & (L)

Suspension via Court Action 4507.16(A)(4)

Length of Term of

Licensing Withdrawal:

Suspension via Point System-**6 months** 4507.021(K)

Suspension via Court Action-**30 days to 3 years** 4507.16(A)

Mandatory Action--Minimum

Length of License

Withdrawal:

Suspension via Point System-**None** The offender may be placed on probation with conditions in lieu of suspension. 4507.021(N)(4)

Suspension via Court Action-**30 days** 4507.16(I) Note: A 30 day suspension appears to be mandatory.

Other Criminal Actions Related to Speeding:
(continued)

Street Racing: (continued)

Other:

Remedial Driving Instruction 4507.022 Note: This course must be completed before driving privileges can be restored.

Street racing" is defined as "the operation of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to out-distance each other or the operation of one or more vehicles over a common selected course, from the same point to the same point, wherein timing is made of the participating vehicles involving repetitive accelerations or speeds." 4511.251

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<u>Reckless Driving:</u>	Misdemeanor 4511.20, 4511.201 ⁷ & 4511.99(D)
Sanction:	
Criminal:	
Imprisonment (Term):	<u>1st offense</u> (Minor Misdemeanor)- None <u>2nd offense</u> (within 1 year) (4th Degree Misdemeanor)-Not more than 30 days <u>Subsequent offense</u> (within 1 year) (3rd Degree Misdemeanor)-Not more than 60 days 2929.21(A) & (B) and 4511.99(D)
Mandatory Minimum Term of Imprisonment:	None
Fine (\$ Range):	<u>1st offense</u> (Minor Misdemeanor)-Not more than \$100 <u>2nd offense</u> (within 1 year) (4th Degree Misdemeanor)-Not more than \$250 <u>Subsequent offense</u> (within 1 year) (3rd Degree Misdemeanor)-Not more than \$500 2929.21(C) & (D) and 4511.99(D)
Mandatory Minimum Fine:	None
Administrative Licensing Actions:	
Type of Licensing Action (Susp/Rev):	Suspension via a Point System ⁵ 4507.021(G), (K) & (L)
Length of Term of License Withdrawal Action:	<u>Suspension</u> via Point System- 6 months 4507.021(K)
Mandatory Term of License Withdrawal Action:	<u>Suspension</u> via Point System- None The offender may be placed on probation with conditions in lieu of suspension. 4507.021(N)(4)
Other:	I. If the appropriate signs are posted in a construction zone that indicate that increase sanctions are in effect, the fines for an offense committed in such zone are doubled the usual amount. 4511.99(D)(3) & 4511.98 II. Remedial Driving Instruction 4507.022 Note: This course must be completed before driving privileges can be restored.
<u>Reasonable Control</u> ⁸ :	Minor Misdemeanor 4511.202 & 4511.99(I)
Sanctions:	
Criminal Sanction:	
Imprisonment (Term):	None
Mandatory Minimum Term:	
Fine (\$ Range):	Not more than \$100 2929.21(D)
Mandatory Minimum Fine:	
<u>Other Criminal Actions Related to Speeding:</u> (continued)	
<u>Reasonable Control:</u> (continued)	
Administrative Licensing Action:	
Licensing Authorized and Type of Action:	Suspension via a Point System ⁵ 4507.021(G), (K) & (L)
Length of Term of Licensing Withdrawal:	<u>Suspension</u> via Point System- 6 months 4507.021(K)

⁷his section applies to the reckless operation of a vehicle on any public or private property other than streets or highways.

No person shall operate a motor vehicle.... without being in reasonable control of the vehicle...." 4511.202

Mandatory Action--Minimum
Length of License
Withdrawal:

Suspension via Point System-**None** The offender may be placed on probation with conditions in lieu of suspension. 4507.021(N)(4)

Other:

Remedial Driving Instruction 4507.022 Note: This course must be completed before driving privileges can be restored.

Commercial Motor Vehicle (CMV) Operators⁹:

Grounds for Disqualification:

A person is disqualified from operating a CMV if while driving such a vehicle they either (1) commit 2 "serious traffic violations"¹⁰ within a 3 year period or (2) commit 3 such violations within a 3 year period. 4506.16(B)(5) & (6)

Period of Disqualification:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** 4506.16(B)(5) & (6)

Period of Mandatory Disqualification:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** 4506.16(B)(5) & (6)

A person who has obtained a commercial driver's license (CDL) and is qualified to operate a commercial motor vehicle. A commercial motor vehicle is defined as a vehicle designed to carry either passengers or property and either has a gross vehicle weight of $\geq 26,001$ lbs., is designed to transport 16 or more persons, or is transporting hazardous materials which requires that the vehicle to be placarded in accordance with U.S. Department of Transportation regulations. 4506.01(E)

A "serious traffic violation" includes exceeding the speed limit by 15 or more MPH or reckless driving. 4506.01(V) & 49 CFR 383.5

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